

CLERKS OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

9/14/2023

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

JERRY FALWELL, JR.,

Plaintiff,

v.

LIBERTY UNIVERSITY, *et al.*,

Defendants.

CASE NO. 6:23-cv-40

ORDER

JUDGE NORMAN K. MOON

Within 21 days after Defendant Liberty University filed its motion to dismiss the original complaint, Dkt. 9, Plaintiff filed an amended complaint, Dkt. 16. *See* Fed. R. Civ. P. 15(a)(1)(B) (permitting filing of an amended complaint as of right within 21 days of service of a Rule 12(b) motion). Defendants' motions to dismiss the original complaint has been mooted by the filing of amended complaint, as that amended pleading supersedes the original complaint and rendered it of no effect. *Young v. City of Mount Ranier*, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court will **DENY as moot** Defendant Liberty University's motion to dismiss the original complaint. Dkt. 9.

It is so **ORDERED**.

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

Entered this 14th day of September, 2023.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE